

Calendar No. 326

103D CONGRESS
1ST SESSION

S. 738

[Report No. 103-199]

A BILL

To promote the implementation of programs to improve the traffic safety performance of high risk drivers.

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

APRIL 2 (legislative day, MARCH 3), 1993

Mr. DANFORTH (for himself, Mr. EXON, Mr. LAUTENBERG, Ms. MIKULSKI, and Mr. BREAUX) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993

Reported by Mr. HOLLINGS, with amendments

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To promote the implementation of programs to improve the traffic safety performance of high risk drivers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “High Risk Drivers Act
5 of 1993”.

1 **SEC. 2. FINDINGS.**

2 The Congress makes the following findings:

3 (1) The Nation's traffic fatality rate has de-
4 clined from 5.5 deaths per 100 million vehicle miles
5 traveled in 1966 to an historic low of an estimated
6 1.8 deaths per 100 million vehicle miles traveled
7 during 1992. In order to further this desired trend,
8 the safety programs and policies implemented by the
9 Department of Transportation must be continued,
10 and at the same time, the focus of these efforts as
11 they pertain to high risk drivers of all ages must be
12 strengthened.

13 (2) Motor vehicle crashes are the leading cause
14 of death among teenagers, and teenage drivers tend
15 to be at fault for their fatal crashes more often than
16 older drivers. Drivers who are 16 to 20 years old
17 comprised 7.4 percent of the United States popu-
18 lation in 1991 but were involved in 15.4 percent of
19 fatal motor vehicle crashes. Also, on the basis of
20 crashes per 100,000 licensed drivers, young drivers
21 are the highest risk group of drivers.

22 (3) During 1991, 6,630 teenagers from age 15
23 through 20 died in motor vehicle crashes. This trag-
24 ic loss demands that the Federal Government inten-
25 sify its efforts to promote highway safety among
26 members of this high risk group.

1 (4) The consumption of alcohol, speeding over
2 allowable limits or too fast for road conditions, inad-
3 equate use of occupant restraints, and other high
4 risk behaviors are several of the key causes for this
5 tragic loss of young drivers and passengers. The De-
6 partment of Transportation, working cooperatively
7 with the States, student groups, and other organiza-
8 tions, must reinvigorate its current programs and
9 policies to address more effectively these pressing
10 problems of teenage drivers.

11 (5) In 1991 individuals aged 70 years and
12 older, who are particularly susceptible to injury,
13 were involved in 12 percent of all motor vehicle traf-
14 fic crash fatalities. These deaths accounted for 4,828
15 fatalities out of 41,462 total traffic fatalities.

16 (6) The number of older Americans who drive
17 is expected to increase dramatically during the next
18 30 years. Unfortunately, during the last 15 years,
19 the Department of Transportation has supported an
20 extremely limited program concerning older drivers.
21 Research on older driver behavior and licensing has
22 suffered from intermittent funding at amounts that
23 were insufficient to address the scope and nature of
24 the challenges ahead.

1 (7) A major objective of United States trans-
2 portation policy must be to promote the mobility of
3 older Americans while at the same time ensuring
4 public safety on our Nation's highways. In order to
5 accomplish these two objectives simultaneously, the
6 Department of Transportation must support a vigor-
7 ous and sustained program of research, technical as-
8 sistance, evaluation, and other appropriate activities
9 that are designed to reduce the fatality and crash
10 rate of older drivers who have identifiable risk char-
11 acteristics.

12 **SEC. 3. DEFINITIONS.**

13 In this Act, the following definitions apply:

14 (1) The term "high risk driver" means a motor
15 vehicle driver who belongs to a class of drivers that,
16 based on vehicle crash rates, fatality rates, traffic
17 safety violation rates, and other factors specified by
18 the Secretary, presents a risk of injury to the driver
19 and other individuals that is higher than the risk
20 presented by the average driver.

21 (2) The term "Secretary" means the Secretary
22 of Transportation.

23 **SEC. 4. POLICY AND PROGRAM DIRECTION.**

24 (a) GENERAL RESPONSIBILITY OF SECRETARY.—The
25 Secretary shall develop and implement effective and com-

1 prehensive policies and programs to promote safe driving
2 behavior by young drivers, older drivers, and repeat viola-
3 tors of traffic safety regulations and laws.

4 (b) SAFETY PROMOTION ACTIVITIES.—The Secretary
5 shall promote or engage in activities that seek to ensure
6 that—

7 (1) cost effective and scientifically-based guide-
8 lines and technologies for the nondiscriminatory
9 evaluation and licensing of high risk drivers are ad-
10 vanced;

11 (2) model driver training, screening, licensing,
12 control, and evaluation programs are improved;

13 (3) uniform or compatible State driver point
14 systems and other licensing and driver record infor-
15 mation systems are advanced as a means of identify-
16 ing and initially evaluating high risk drivers; and

17 (4) driver training programs and the delivery of
18 such programs are advanced.

19 (c) DRIVER TRAINING RESEARCH.—The Secretary
20 shall explore the feasibility and advisability of using cost
21 efficient simulation and other technologies as a means of
22 enhancing driver training; shall advance knowledge re-
23 garding the perceptual, cognitive, and decision making
24 skills needed for safe driving and to improve driver train-
25 ing; and shall investigate the most effective means of inte-

1 grating licensing, training, and other techniques for pre-
2 paring novice drivers for the safe use of highway systems.

3 **TITLE I—YOUNG DRIVER PROGRAMS**

4 **SEC. 101. STATE GRANTS FOR YOUNG DRIVER PROGRAMS.**

5 (a) ESTABLISHMENT OF GRANT PROGRAM.—Chapter
6 4 of title 23, United States Code, is amended by adding
7 at the end the following new section:

8 **“§ 411. Programs for young drivers**

9 “(a) GENERAL AUTHORITY.—Subject to the provi-
10 sions of this section, the Secretary shall make basic and
11 supplemental grants to those States which adopt and im-
12 plement programs for young drivers which include meas-
13 ures, described in this section, to reduce traffic safety
14 problems resulting from the driving performance of young
15 drivers. Such grants may only be used by recipient States
16 to implement and enforce such measures.

17 “(b) MAINTENANCE OF EFFORT.—No grant may be
18 made to a State under this section in any fiscal year unless
19 such State enters into such agreements with the Secretary
20 as the Secretary may require to ensure that such State
21 will maintain its aggregate estimated expenditures from
22 all other sources for programs for young drivers at or
23 above the average level of such expenditures in its two fis-
24 cal years preceding the fiscal year in which this section
25 is enacted.

1 ~~“(c) FEDERAL SHARE.—No State may receive grants~~
 2 ~~under this section in more than five fiscal years. The Fed-~~
 3 ~~eral share payable for any grant under this section shall~~
 4 ~~not exceed—~~

5 ~~“(1) in the first fiscal year a State receives a~~
 6 ~~grant under this section, 75 percent of the cost of~~
 7 ~~implementing and enforcing in such fiscal year the~~
 8 ~~young driver program adopted by the State pursuant~~
 9 ~~to subsection (a);~~

10 ~~“(2) in the second fiscal year the State receives~~
 11 ~~a grant under this section, 50 percent of the cost of~~
 12 ~~implementing and enforcing in such fiscal year such~~
 13 ~~program; and~~

14 ~~“(3) in the third, fourth, and fifth fiscal years~~
 15 ~~the State receives a grant under this section, 25 per-~~
 16 ~~cent of the cost of implementing and enforcing in~~
 17 ~~such fiscal year such program.~~

18 ~~“(d) MAXIMUM AMOUNT OF BASIC GRANTS.—Sub-~~
 19 ~~ject to subsection (c), the amount of a basic grant made~~
 20 ~~under this section for any fiscal year to any State which~~
 21 ~~is eligible for such a grant under subsection (c) shall equal~~
 22 ~~30 percent of the amount apportioned to such State for~~
 23 ~~fiscal year 1989 under section 402 of this title. A grant~~
 24 ~~to a State under this section shall be in addition to the~~
 25 ~~State’s apportionment under section 402, and basic grants~~

1 during any fiscal year may be proportionately reduced to
 2 accommodate an applicable statutory obligation limitation
 3 for that fiscal year.

4 “(e) ELIGIBILITY FOR BASIC GRANTS.—

5 “(1) GENERAL.—For purposes of this section, a
 6 State is eligible for a basic grant if such State—

7 “(A) establishes and maintains a grad-
 8 uated licensing program for drivers under 18
 9 years of age that meets the requirements of
 10 paragraph (2); and

11 “(B)(i) in the first year of receiving grants
 12 under this section, meets three of the eight cri-
 13 teria specified in paragraph (3);

14 “(ii) in the second year of receiving such
 15 grants, meets four of such criteria;

16 “(iii) in the third year of receiving such
 17 grants, meets five of such criteria;

18 “(iv) in the fourth year of receiving such
 19 grants, meets six of such criteria; and

20 “(v) in fifth year of receiving such grants,
 21 meets six of such criteria.

22 “(2) GRADUATED LICENSING PROGRAM.—(A) A
 23 State receiving a grant under this section shall es-
 24 tablish and maintain a graduated licensing program

1 consisting of the following licensing stages for any
2 driver under 18 years of age:

3 “(i) An instructional license, valid for a
4 minimum period determined by the Secretary,
5 under which the licensee shall not operate a
6 motor vehicle unless accompanied in the front
7 passenger seat by the holder of a full driver’s
8 license.

9 “(ii) A provisional driver’s license which
10 shall not be issued unless the driver has passed
11 a written examination on traffic safety and has
12 passed a road test administered by the driver li-
13 censing agency of the State.

14 “(iii) A full driver’s license which shall not
15 be issued until the driver has held a provisional
16 license for at least one year with a clean driving
17 record.

18 “(B) For purposes of subparagraph (A)(iii),
19 subsection (f)(1), and subsection (f)(6)(B), a provi-
20 sional licensee has a clean driving record if the li-
21 censee—

22 “(i) has not been found, by civil or crimi-
23 nal process, to have committed a moving traffic
24 violation during the applicable period;

1 “(ii) has not been assessed points against
2 the license because of safety violations during
3 such period; and

4 “(iii) has satisfied such other requirements
5 as the Secretary may prescribe by regulation.

6 ~~“(C) The Secretary shall determine the condi-~~
7 ~~tions under which a State shall suspend provisional~~
8 ~~driver’s licenses in order to be eligible for a basic~~
9 ~~grant. At a minimum, the holder of a provisional li-~~
10 ~~cence shall be subject to driver control actions that~~
11 ~~are stricter than those applicable to the holder of a~~
12 ~~full driver’s license, including warning letters and~~
13 ~~suspension at a lower point threshold.~~

14 ~~“(D) For a State’s first two years of receiving~~
15 ~~a grant under this section, the Secretary may waive~~
16 ~~the clean driving record requirement of subpara-~~
17 ~~graph (A)(iii) if the State submits satisfactory evi-~~
18 ~~dence of its efforts to establish such a requirement.~~

19 ~~“(3) CRITERIA FOR BASIC GRANT.—The eight~~
20 ~~criteria referred to in paragraph (1)(B) are as fol-~~
21 ~~lows:~~

22 ~~“(A) The State requires that any driver~~
23 ~~under 21 years of age with a blood alcohol con-~~
24 ~~centration of 0.02 percent or greater when driv-~~
25 ~~ing a motor vehicle shall be deemed to be driv-~~

1 ing while intoxicated for the purpose of (i) ad-
2 ministrative or judicial sanctions or (ii) a law or
3 regulation that prohibits any individual under
4 21 years of age with a blood alcohol concentra-
5 tion of 0.02 percent or greater from driving a
6 motor vehicle.

7 “(B) The State has a law or regulation
8 that provides a mandatory minimum penalty of
9 at least \$500 for anyone who in violation of
10 State law or regulation knowingly, or without
11 checking for proper identification, provides or
12 sells alcohol to any individual under age 21
13 years of age.

14 “(C) The State requires that all front seat
15 and rear seat occupants of any motor vehicle
16 shall use safety belts.

17 “(D) The State requires that the license of
18 a driver under 21 years of age be suspended for
19 a period specified by the State if such driver is
20 convicted of the unlawful purchase or public
21 possession of alcohol. The period of suspension
22 shall be at least six months for a first convic-
23 tion and at least twelve months for a subse-
24 quent conviction; except that specific license re-
25 stricts may be imposed as an alternative to

1 such minimum periods of suspension where nec-
2 essary to avoid undue hardship on any individ-
3 ual.

4 “(E) The State conducts traffic safety en-
5 forcement activities, and education and training
6 programs—

7 “(i) with the participation of judges
8 and prosecutors, that are designed to en-
9 sure enforcement of traffic safety laws and
10 regulations including those that prohibit
11 drivers under 21 years of age from driving
12 while intoxicated, restrict the unauthorized
13 use of a motor vehicle, and establish other
14 moving violations; and

15 “(ii) with the participation of student
16 and youth groups, that are designed to en-
17 sure compliance with such traffic safety
18 laws and regulations.

19 “(F) The State is a member of and sub-
20 stantially complies with the interstate agree-
21 ment known as the Driver License Compact,
22 promptly and reliably transmits and receives
23 through electronic means interstate driver
24 record information (including information on
25 commercial drivers) in cooperation with the

1 Secretary and other States, and develops and
2 achieves demonstrable annual progress in imple-
3 menting a plan to ensure that (i) each court of
4 the State report expeditiously to the State driv-
5 er licensing agency all traffic safety convictions,
6 license suspensions, license revocations, or other
7 license restrictions, and driver improvement ef-
8 forts sanctioned or ordered by the court, and
9 that (ii) such records be available electronically
10 to appropriate government officials (including
11 enforcement, officers, judges, and prosecutors)
12 upon request at all times.

13 “(G) The State prohibits the possession of
14 any open alcoholic beverage container, or the
15 consumption of any alcoholic beverage, in the
16 passenger area of any motor vehicle located on
17 a public highway or the right-of-way of a public
18 highway; except as allowed in the passenger
19 area, by persons (other than the driver), of a
20 motor vehicle designed to transport more than
21 ten passengers (including the driver) while
22 being used to provide charter transportation of
23 passengers.

24 “(H) The State has a law or regulation
25 that provides a minimum penalty of at least

1 \$100 for anyone who in violation of State law
2 or regulation drives any vehicle through,
3 around, or under any crossing, gate, or barrier
4 at a railroad crossing while such gate or barrier
5 is closed or being opened or closed.

6 ~~“(f) SUPPLEMENTAL GRANT PROGRAM.—~~

7 ~~“(1) EXTENDED APPLICATION OF PROVISIONAL~~
8 ~~LICENSE REQUIREMENT.—For purposes of this sec-~~
9 ~~tion, a State is eligible for a supplemental grant for~~
10 ~~a fiscal year in an amount, subject to subsection (c),~~
11 ~~not to exceed 10 percent of the amount apportioned~~
12 ~~to such State for fiscal year 1989 under section 402~~
13 ~~of this title if such State is eligible for a basic grant~~
14 ~~and in addition such State requires that a driver~~
15 ~~under 21 years of age shall not be issued a full driv-~~
16 ~~er’s license until the driver has held a provisional li-~~
17 ~~cence for at least one year with a clean driving~~
18 ~~record as described in subsection (e)(2)(B).~~

19 ~~“(2) PROVISION OF INSURANCE INFORMA-~~
20 ~~TION.—For purposes of this section, a State is eligi-~~
21 ~~ble for a supplemental grant for a fiscal year in an~~
22 ~~amount, subject to subsection (c), not to exceed 5~~
23 ~~percent of the amount apportioned to such State for~~
24 ~~fiscal year 1989 under section 402 of this title if~~
25 ~~such State is eligible for a basic grant and in addi-~~

1 tion such State provides, to a parent or legal guard-
 2 ian of any provisional licensee, general information
 3 prepared with the assistance of the insurance indus-
 4 try on the effect of traffic safety convictions and at-
 5 fault accidents on insurance rates for young drivers.

6 ~~“(3) READILY DISTINGUISHABLE LICENSES FOR~~
 7 ~~YOUNG DRIVERS.—~~For purposes of this section, a
 8 State is eligible for a supplemental grant for a fiscal
 9 year in an amount, subject to subsection (c), not to
 10 exceed 5 percent of the amount apportioned to such
 11 State for fiscal year 1989 under section 402 of this
 12 title if such State is eligible for a basic grant and
 13 in addition such State—

14 ~~“(A) requires that the provisional driver’s~~
 15 ~~license, or full driver’s license, of any driver~~
 16 ~~under 21 years of age be readily distinguishable~~
 17 ~~from the licenses of drivers who are 21 years of~~
 18 ~~age or older, through the use of special back-~~
 19 ~~ground, marking, profile, or any other features,~~
 20 ~~consistent with any guidelines developed by the~~
 21 ~~Secretary in cooperation with the American As-~~
 22 ~~sociation of Motor Vehicle Administrators; and~~

23 ~~“(B) employs the Social Security number~~
 24 ~~as a common identifier on every driver’s license~~

1 so as to facilitate the transfer of traffic records
2 among States.

3 ~~“(4) DRIVER TRAINING PREREQUISITE.—For~~
4 purposes of this section, a State is eligible for a sup-
5 plemental grant in an amount, subject to subsection
6 (c), not to exceed 5 percent of the amount appor-
7 tioned to such State for fiscal year 1989 under sec-
8 tion 402 of this title if such State is eligible for a
9 basic grant and in addition such State requires that
10 a provisional driver’s license may be issued only to
11 a driver who has satisfactorily completed a State-ac-
12 cepted driver education and training program that
13 meets Department of Transportation guidelines and
14 includes information on the interaction of alcohol
15 and controlled substances and the effect of such
16 interaction on driver performance, and information
17 on the importance of motorcycle helmet use and
18 safety belt use.

19 ~~“(5) REMEDIAL DRIVER EDUCATION.—For pur-~~
20 poses of this section, a State is eligible for a supple-
21 mental grant for a fiscal year in an amount, subject
22 to subsection (c), not to exceed 5 percent of the
23 amount apportioned to such State for fiscal year
24 1989 under section 402 of this title if such State is
25 eligible for a basic grant and in addition such State

1 requires, at a lower point threshold than for other
2 drivers, remedial driver improvement instruction for
3 drivers under 21 years of age and requires such re-
4 medial instruction for any driver under 21 years of
5 age who is convicted of reckless driving, driving
6 under the influence of alcohol, or driving while in-
7 toxicated.

8 “(6) PROVISIONAL LICENSE REQUIREMENT
9 AFTER LICENSE SUSPENSION OR REVOCATION.—For
10 purposes of this section, a State is eligible for a sup-
11 plemental grant for a fiscal year in an amount, sub-
12 ject to subsection (c), not to exceed 5 percent of the
13 amount apportioned to such State for fiscal year
14 1989 under section 402 of this title if such State is
15 eligible for a basic grant and in addition such State
16 requires that any driver whose driving privilege is
17 restored after license suspension or revocation re-
18 sulting from a traffic safety violation shall for at
19 least 1 year be subject to the following:

20 “(A) The restored license shall be imme-
21 diately suspended, for a period to be determined
22 by the Secretary, upon the driver’s conviction of
23 any moving traffic safety violation, except that
24 the Secretary may by regulation define limited

1 circumstances under which the State may waive
2 this immediate suspension requirement.

3 ~~“(B) A full driver’s license shall be issued~~
4 ~~only after the driver has held a provisional li-~~
5 ~~cense for at least one year with a clean driving~~
6 ~~record, as described in subsection (e)(2)(B).~~

7 ~~“(C) The driver shall be—~~

8 ~~“(i) deemed to be driving while intoxi-~~
9 ~~cated if the driver has a blood alcohol con-~~
10 ~~centration of .02 percent or greater; or~~

11 ~~“(ii) prohibited from operating a~~
12 ~~motor vehicle with such a blood alcohol~~
13 ~~concentration.~~

14 ~~“(7) RECORD OF SERIOUS CONVICTIONS; HA-~~
15 ~~BITUAL OR REPEAT OFFENDER SANCTIONS.—For~~
16 ~~purposes of this section, a State is eligible for a sup-~~
17 ~~plemental grant for a fiscal year in an amount, sub-~~
18 ~~ject to subsection (e), not to exceed 5 percent of the~~
19 ~~amount apportioned to such State for fiscal year~~
20 ~~1989 under section 402 of this title if such State is~~
21 ~~eligible for a basic grant and in addition such~~
22 ~~State—~~

23 ~~“(A) requires that a notation of any seri-~~
24 ~~ous traffic safety conviction of a driver be main-~~
25 ~~tained on the driver’s permanent traffic record~~

1 for at least ten years after the date of the con-
2 viction; and

3 ~~“(B) provides additional sanctions for any~~
4 ~~driver who, following conviction of a serious~~
5 ~~traffic safety violation, is convicted during the~~
6 ~~next ten years of one or more subsequent seri-~~
7 ~~ous traffic safety violations.~~

8 ~~“(8) OVERSIGHT OF ALCOHOL SALES TO UN-~~
9 ~~DERAGE DRINKERS.—For purposes of this section, a~~
10 ~~State is eligible for a supplemental grant for a fiscal~~
11 ~~year in an amount, subject to subsection (c), not to~~
12 ~~exceed 5 percent of the amount appropriated to such~~
13 ~~State for fiscal year 1989 under section 402 of this~~
14 ~~title if such State is eligible for a basic grant and~~
15 ~~in addition such State exercises effective oversight of~~
16 ~~colleges and universities that provide or allow the~~
17 ~~selling of alcohol to underage drinkers as defined by~~
18 ~~State law or regulation.~~

19 ~~“(g) APPLICABILITY OF CHAPTER 1.—~~

20 ~~“(1) IN GENERAL.—Except as otherwise pro-~~
21 ~~vided in this subsection, all provisions of chapter 1~~
22 ~~of this title that are applicable to National Highway~~
23 ~~System funds, other than provisions relating to the~~
24 ~~apportionment formula and provisions limiting the~~
25 ~~expenditure of such funds to the Federal aid sys-~~

1 tems, shall apply to the funds authorized to be ap-
2 propriated to carry out this section.

3 ~~“(2) INCONSISTENT PROVISIONS.—If the Sec-~~
4 ~~retary determines that a provision of chapter 4 of~~
5 ~~this title is inconsistent with this section, such provi-~~
6 ~~sion shall not apply to funds authorized to be appro-~~
7 ~~priated to carry out this section.~~

8 ~~“(3) CREDIT FOR STATE AND LOCAL EXPENDI-~~
9 ~~TURES.—The aggregate of all expenditures made~~
10 ~~during any fiscal year by a State and its political~~
11 ~~subdivisions (exclusive of Federal Funds) for carry-~~
12 ~~ing out the State highway safety program (other~~
13 ~~than planning and administration) shall be available~~
14 ~~for the purpose of crediting such State during such~~
15 ~~fiscal year for the non-Federal share of the cost of~~
16 ~~any project under this section (other than one for~~
17 ~~planning or administration) without regard to~~
18 ~~whether such expenditures were actually made in~~
19 ~~connection with such project.~~

20 ~~“(4) INCREASED FEDERAL SHARE FOR CERTAIN~~
21 ~~INDIAN TRIBE PROGRAMS.—In the case of a local~~
22 ~~highway safety program carried out by an Indian~~
23 ~~tribe, if the Secretary is satisfied that an Indian~~
24 ~~tribe does not have sufficient funds available to meet~~
25 ~~the non-Federal share of the cost of such program,~~

1 the Secretary may increase the Federal share of the
 2 cost thereof payable under this title to the extent
 3 necessary.

4 ~~“(5) TREATMENT OF TERM ‘STATE HIGHWAY~~
 5 ~~DEPARTMENT’.—In applying provisions of chapter 1~~
 6 ~~in carrying out this section, the term ‘State highway~~
 7 ~~department’ as used in such provisions shall mean~~
 8 ~~the Governor of a State and, in the case of an In-~~
 9 ~~dian tribe program, the Secretary of the Interior.~~

10 ~~“(h) AUTHORIZATION OF APPROPRIATIONS.—There~~
 11 ~~are authorized to be appropriated to carry out this section,~~
 12 ~~\$18,000,000 for each of the fiscal years ending September~~
 13 ~~30, 1994, and September 30, 1995, \$20,000,000 for the~~
 14 ~~fiscal year ending September 30, 1996, and \$22,000,000~~
 15 ~~for each of the fiscal years ending September 30, 1997,~~
 16 ~~and September 30, 1998.”.~~

17 ~~(b) CONFORMING AMENDMENT.—This analysis of~~
 18 ~~chapter 4 of title 23, United States Code, is amended by~~
 19 ~~inserting immediately after the item relating to section~~
 20 ~~410 the following new item:~~

~~“411. Programs for young drivers.”.~~

21 ~~(c) DEADLINES FOR ISSUANCE OF REGULATIONS.—~~
 22 ~~The Secretary shall issue and publish in the Federal Reg-~~
 23 ~~ister proposed regulations to implement section 411 of~~
 24 ~~title 23, United States Code (as added by this section),~~
 25 ~~not later than 6 months after the date of enactment of~~

1 this Act. The final regulations for such implementation
 2 shall be issued, published in the Federal Register, and
 3 transmitted to Congress not later than twelve months
 4 after such date of enactment.

5 **SEC. 102. PROGRAM EVALUATION.**

6 (a) EVALUATION BY SECRETARY.—The Secretary
 7 shall, under section 403 of title 23, United States Code,
 8 conduct an evaluation of the effectiveness of State provi-
 9 sional driver's licensing programs and the grant program
 10 authorized by section 411 of title 23, United States Code
 11 (as added by section 101 of this Act).

12 (b) REPORT TO CONGRESS.—By January 1, 1997,
 13 the Secretary shall transmit a report on the results of the
 14 evaluation conducted under subsection (a) and any related
 15 research to the Committee on Commerce, Science, and
 16 Transportation of the Senate and the Committee on Pub-
 17 lic Works and Transportation of the House of Representa-
 18 tives. The report shall include any related recommenda-
 19 tions by the Secretary for legislative changes.

20 **TITLE II—OLDER DRIVER PROGRAMS**

21 **SEC. 201. OLDER DRIVER SAFETY RESEARCH.**

22 (a) RESEARCH ON PREDICTABILITY OF HIGH RISK
 23 DRIVING.—(1) The Secretary shall conduct a program
 24 that funds, within budgetary limitations, the research
 25 challenges presented in the Transportation Research

1 Board's report "Research and Development Needs for
2 Maintaining the Safety and Mobility of Older Drivers".

3 ~~(2) To the extent technically feasible, the Secretary~~
4 shall consider the feasibility and further the development
5 of cost efficient, reliable tests capable of predicting in-
6 creased risk of accident involvement or hazardous driving
7 by older high risk drivers.

8 ~~(b) SPECIALIZED TRAINING FOR LICENSE EXAMIN-~~
9 ~~ERS.~~—The Secretary shall encourage and conduct re-
10 search and demonstration activities to support the special-
11 ized training of license examiners or other certified exam-
12 iners to increase their knowledge and sensitivity to the
13 transportation needs and physical limitations of older driv-
14 ers, including knowledge of functional disabilities related
15 to driving, and to be cognizant of possible counter-
16 measures to deal with the challenges to safe driving that
17 may be associated with increasing age.

18 ~~(c) COUNSELING PROCEDURES AND CONSULTATION~~
19 ~~METHODS.~~—The Secretary shall encourage and conduct
20 research and disseminate information to support and en-
21 courage the development of appropriate counseling proce-
22 dures and consultation methods with relatives, physicians,
23 the traffic safety enforcement and the motor vehicle licens-
24 ing communities, and other concerned parties. Such proce-
25 dures and methods shall include the promotion of vol-

1 untary action by older high risk drivers to restrict or limit
2 their driving when medical or other conditions indicate
3 such action is advisable. The Secretary shall consult exten-
4 sively with the American Association of Retired Persons,
5 the American Association of Motor Vehicle Administra-
6 tors, the American Occupational Therapy Association, the
7 American Automobile Association, the Department of
8 Health and Human Services, the American Public Health
9 Association, and other interested parties in developing
10 educational materials on the interrelationship of the aging
11 process, driver safety, and the driver licensing process.

12 (d) ALTERNATIVE TRANSPORTATION MEANS.—The
13 Secretary shall ensure that the agencies of the Depart-
14 ment of Transportation overseeing the various modes of
15 surface transportation coordinate their policies and pro-
16 grams to ensure that funds authorized under the Inter-
17 modal Surface Transportation Efficiency Act of 1991
18 (Public Law 102–240; 105 Stat. 1914) and implementing
19 Department of Transportation and Related Agencies Ap-
20 propriation Acts take into account the transportation
21 needs of older Americans by promoting alternative trans-
22 portation means whenever practical and feasible.

23 (e) STATE LICENSING PRACTICES.—The Secretary
24 shall encourage State licensing agencies to use restricted
25 licenses instead of canceling a license whenever such ac-

1 tion is appropriate and if the interests of public safety
2 would be served, and to closely monitor the driving per-
3 formance of older drivers with such licenses. The Sec-
4 retary shall encourage States to provide educational mate-
5 rials of benefit to older drivers and concerned family mem-
6 bers and physicians. The Secretary shall promote licensing
7 and relicensing programs in which the applicant appears
8 in person and shall promote the development and use of
9 cost effective screening processes and testing of physio-
10 logical, cognitive, and perception factors as appropriate
11 and necessary. Not less than one model State program
12 shall be evaluated in light of this subsection during each
13 of the fiscal years 1996 through 1998. Of the sums au-
14 thorized under subsection (i), \$250,000 is authorized for
15 each such fiscal year for such evaluation.

16 (f) IMPROVEMENT OF MEDICAL SCREENING.—The
17 Secretary shall conduct research and other activities de-
18 signed to support and encourage the States to establish
19 and maintain medical review or advisory groups to work
20 with State licensing agencies to improve and provide cur-
21 rent information on the screening and licensing of older
22 drivers. The Secretary shall encourage the participation
23 of the public in these groups to ensure fairness and con-
24 cern for the safety and mobility needs of older drivers.

1 ~~(g) INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.—In~~
 2 implementing the Intelligent Vehicle-Highway Systems
 3 Act of 1991 (23 U.S.C. 307 note), the Secretary shall en-
 4 sure that the National Intelligent Vehicle-Highway Sys-
 5 tems Program devotes sufficient attention to the use of
 6 intelligent vehicle-highway systems to aid older drivers in
 7 safely performing driver functions. Federally-sponsored
 8 research, development, and operational testing shall en-
 9 sure the advancement of night vision improvement sys-
 10 tems, technology to reduce the involvement of older drivers
 11 in accidents occurring at intersections, and other tech-
 12 nologies of particular benefit to older drivers.

13 ~~(h) TECHNICAL EVALUATIONS UNDER INTERMODAL~~
 14 ~~SURFACE TRANSPORTATION EFFICIENCY ACT.—In con-~~
 15 ducting the technical evaluations required under section
 16 6055 of the Intermodal Surface Transportation Efficiency
 17 Act of 1991 (Public Law 102-240; 105 Stat. 2192), the
 18 Secretary shall ensure that the safety impacts on older
 19 drivers are considered, with special attention being de-
 20 voted to ensuring adequate and effective exchange of infor-
 21 mation between the Department of Transportation and
 22 older drivers or their representatives.

23 ~~(i) AUTHORIZATION OF APPROPRIATIONS.—Of the~~
 24 funds authorized under section 403 of title 23, United
 25 States Code, \$1,250,000 is authorized for each of the fis-

1 cal years 1995 through 2000, and \$1,500,000 is author-
 2 ized for each of the fiscal years 2000 through 2005, to
 3 support older driver programs described in subsections
 4 (a), (b), (c), (e), and (f).

5 **TITLE III—HIGH RISK DRIVERS**

6 **SEC. 301. STUDY ON WAYS TO IMPROVE TRAFFIC RECORDS** 7 **OF ALL HIGH RISK DRIVERS.**

8 (a) IN GENERAL.—Within one year after the date of
 9 enactment of this Act, the Secretary shall complete a
 10 study to determine whether additional or strengthened
 11 Federal activities, authority, or regulatory actions are de-
 12 sirable or necessary to improve or strengthen the driver
 13 record and control systems of the States to identify high
 14 risk drivers more rapidly and ensure prompt intervention
 15 in the licensing of high risk drivers. The study, which shall
 16 be based in part on analysis obtained from a request for
 17 information published in the Federal Register, shall con-
 18 sider steps necessary to ensure that State traffic record
 19 systems are unambiguous, accurate, current, accessible,
 20 complete, and (to the extent useful) uniform among the
 21 States.

22 (b) SPECIFIC MATTERS FOR CONSIDERATION.—Such
 23 study shall at a minimum consider—

24 (1) whether specific legislative action is nec-
 25 essary to improve State traffic record system;

1 (2) the feasibility and practicality of further en-
2 couraging and establishing a uniform traffic ticket
3 citation and control system;

4 (3) the need for a uniform driver violation point
5 system to be adopted by the States;

6 (4) the need for all the States to participate in
7 the Driver License Reciprocity Program conducted
8 by the American Association of Motor Vehicle Ad-
9 ministrators;

10 (5) ways to encourage the State to cross-ref-
11 erence driver license files and motor vehicle files to
12 facilitate the identification of individuals who may
13 not be in compliance with driver licensing laws; and

14 (6) the feasibility of establishing a national pro-
15 gram that would limit each driver to one driver's li-
16 cense from only one State at any time.

17 (c) EVALUATION OF NATIONAL INFORMATION SYS-
18 TEMS.—As part of the study required by this section, the
19 Secretary shall consider and evaluate the future of the na-
20 tional information systems that support driver licensing.
21 In particular, the Secretary shall examine whether the
22 Commercial Driver's License Information System, the Na-
23 tional Driver Register, and the Driver License Reciprocity
24 program should be more closely linked or continue to exist
25 as separate information systems and which entities are

1 best suited to operate such systems effectively at the least
 2 cost. The Secretary shall cooperate with the American As-
 3 sociation of Motor Vehicle Administrators in carrying out
 4 this evaluation.

5 **SEC. 302. STATE PROGRAMS FOR HIGH RISK DRIVERS.**

6 The Secretary shall encourage and promote State
 7 driver evaluation, assistance, or control programs for high
 8 risk drivers. These programs may include in-person license
 9 reexaminations, driver education or training courses, li-
 10 cense restrictions or suspensions, and other actions de-
 11 signed to improve the operating performance of high risk
 12 drivers.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the "High Risk Drivers Act*
 15 *of 1993".*

16 **SEC. 2. FINDINGS.**

17 *The Congress makes the following findings:*

18 *(1) The Nation's traffic fatality rate has declined*
 19 *from 5.5 deaths per 100 million vehicle miles traveled*
 20 *in 1966 to an historic low of an estimated 1.8 deaths*
 21 *per 100 million vehicle miles traveled during 1992. In*
 22 *order to further this desired trend, the safety pro-*
 23 *grams and policies implemented by the Department of*
 24 *Transportation must be continued, and at the same*

1 *time, the focus of these efforts as they pertain to high*
2 *risk drivers of all ages must be strengthened.*

3 *(2) Motor vehicle crashes are the leading cause of*
4 *death among teenagers, and teenage drivers tend to be*
5 *at fault for their fatal crashes more often than older*
6 *drivers. Drivers who are 16 to 20 years old comprised*
7 *7.4 percent of the United States population in 1991*
8 *but were involved in 15.4 percent of fatal motor vehi-*
9 *cle crashes. Also, on the basis of crashes per 100,000*
10 *licensed drivers, young drivers are the highest risk*
11 *group of drivers.*

12 *(3) During 1991, 6,630 teenagers from age 15*
13 *through 20 died in motor vehicle crashes. This tragic*
14 *loss demands that the Federal Government intensify*
15 *its efforts to promote highway safety among members*
16 *of this high risk group.*

17 *(4) The consumption of alcohol, speeding over al-*
18 *lowable limits or too fast for road conditions, inad-*
19 *equately use of occupant restraints, and other high risk*
20 *behaviors are several of the key causes for this tragic*
21 *loss of young drivers and passengers. The Department*
22 *of Transportation, working cooperatively with the*
23 *States, student groups, and other organizations, must*
24 *reinvigorate its current programs and policies to ad-*

1 *dress more effectively these pressing problems of teen-*
2 *age drivers.*

3 *(5) In 1991 individuals aged 70 years and older,*
4 *who are particularly susceptible to injury, were in-*
5 *involved in 12 percent of all motor vehicle traffic crash*
6 *fatalities. These deaths accounted for 4,828 fatalities*
7 *out of 41,462 total traffic fatalities.*

8 *(6) The number of older Americans who drive is*
9 *expected to increase dramatically during the next 30*
10 *years. Unfortunately, during the last 15 years, the*
11 *Department of Transportation has supported an ex-*
12 *tremely limited program concerning older drivers. Re-*
13 *search on older driver behavior and licensing has suf-*
14 *fered from intermittent funding at amounts that were*
15 *insufficient to address the scope and nature of the*
16 *challenges ahead.*

17 *(7) A major objective of United States transpor-*
18 *tation policy must be to promote the mobility of older*
19 *Americans while at the same time ensuring public*
20 *safety on our Nation's highways. In order to accom-*
21 *plish these two objectives simultaneously, the Depart-*
22 *ment of Transportation must support a vigorous and*
23 *sustained program of research, technical assistance,*
24 *evaluation, and other appropriate activities that are*

1 *designed to reduce the fatality and crash rate of older*
2 *drivers who have identifiable risk characteristics.*

3 **SEC. 3. DEFINITIONS.**

4 *In this Act, the following definitions apply:*

5 (1) *The term “high risk driver” means a motor*
6 *vehicle driver who belongs to a class of drivers that,*
7 *based on vehicle crash rates, fatality rates, traffic*
8 *safety violation rates, and other factors specified by*
9 *the Secretary, presents a risk of injury to the driver*
10 *and other individuals that is higher than the risk pre-*
11 *sented by the average driver.*

12 (2) *The term “Secretary” means the Secretary of*
13 *Transportation.*

14 **SEC. 4. POLICY AND PROGRAM DIRECTION.**

15 (a) *GENERAL RESPONSIBILITY OF SECRETARY.*—*The*
16 *Secretary shall develop and implement effective and com-*
17 *prehensive policies and programs to promote safe driving*
18 *behavior by young drivers, older drivers, and repeat viola-*
19 *tors of traffic safety regulations and laws.*

20 (b) *SAFETY PROMOTION ACTIVITIES.*—*The Secretary*
21 *shall promote or engage in activities that seek to ensure*
22 *that—*

23 (1) *cost effective and scientifically-based guide-*
24 *lines and technologies for the nondiscriminatory eval-*

1 uation and licensing of high risk drivers are ad-
2 vanced;

3 (2) model driver training, screening, licensing,
4 control, and evaluation programs are improved;

5 (3) uniform or compatible State driver point
6 systems and other licensing and driver record infor-
7 mation systems are advanced as a means of identify-
8 ing and initially evaluating high risk drivers; and

9 (4) driver training programs and the delivery of
10 such programs are advanced.

11 (c) *DRIVER TRAINING RESEARCH.*—The Secretary
12 shall explore the feasibility and advisability of using cost
13 efficient simulation and other technologies as a means of
14 enhancing driver training; shall advance knowledge regard-
15 ing the perceptual, cognitive, and decision making skills
16 needed for safe driving and to improve driver training; and
17 shall investigate the most effective means of integrating li-
18 censing, training, and other techniques for preparing novice
19 drivers for the safe use of highway systems.

20 ***TITLE I—YOUNG DRIVER PROGRAMS***

21 ***SEC. 101. STATE GRANTS FOR YOUNG DRIVER PROGRAMS.***

22 (a) *ESTABLISHMENT OF GRANT PROGRAM.*—Chapter
23 4 of title 23, United States Code, is amended by adding
24 at the end the following new section:

1 **“§ 411. Programs for young drivers**

2 “(a) *GENERAL AUTHORITY.*—Subject to the provisions
3 of this section, the Secretary shall make basic and supple-
4 mental grants to those States which adopt and implement
5 programs for young drivers which include measures, de-
6 scribed in this section, to reduce traffic safety problems re-
7 sulting from the driving performance of young drivers.
8 Such grants may only be used by recipient States to imple-
9 ment and enforce such measures.

10 “(b) *MAINTENANCE OF EFFORT.*—No grant may be
11 made to a State under this section in any fiscal year unless
12 such State enters into such agreements with the Secretary
13 as the Secretary may require to ensure that such State will
14 maintain its aggregate estimated expenditures from all
15 other sources for programs for young drivers at or above
16 the average level of such expenditures in its 2 fiscal years
17 preceding the fiscal year in which this section is enacted.

18 “(c) *FEDERAL SHARE.*—No State may receive grants
19 under this section in more than 5 fiscal years. The Federal
20 share payable for any grant under this section shall not
21 exceed—

22 “(1) in the first fiscal year a State receives a
23 grant under this section, 75 percent of the cost of im-
24 plementing and enforcing in such fiscal year the
25 young driver program adopted by the State pursuant
26 to subsection (a);

1 “(2) in the second fiscal year the State receives
2 a grant under this section, 50 percent of the cost of
3 implementing and enforcing in such fiscal year such
4 program; and

5 “(3) in the third, fourth, and fifth fiscal years
6 the State receives a grant under this section, 25 per-
7 cent of the cost of implementing and enforcing in such
8 fiscal year such program.

9 “(d) *MAXIMUM AMOUNT OF BASIC GRANTS.*—Subject
10 to subsection (c), the amount of a basic grant made under
11 this section for any fiscal year to any State which is eligible
12 for such a grant under subsection (e) shall equal 30 percent
13 of the amount apportioned to such State for fiscal year 1989
14 under section 402 of this title. A grant to a State under
15 this section shall be in addition to the State’s apportion-
16 ment under section 402, and basic grants during any fiscal
17 year may be proportionately reduced to accommodate an
18 applicable statutory obligation limitation for that fiscal
19 year.

20 “(e) *ELIGIBILITY FOR BASIC GRANTS.*—

21 “(1) *GENERAL.*—For purposes of this section, a
22 State is eligible for a basic grant if such State—

23 “(A) establishes and maintains a graduated
24 licensing program for drivers under 18 years of

1 age that meets the requirements of paragraph
2 (2); and

3 “(B)(i) in the first year of receiving grants
4 under this section, meets four of the nine criteria
5 specified in paragraph (3);

6 “(ii) in the second year of receiving such
7 grants, meets five of such criteria;

8 “(iii) in the third year of receiving such
9 grants, meets six of such criteria;

10 “(iv) in the fourth year of receiving such
11 grants, meets seven of such criteria; and

12 “(v) in fifth year of receiving such grants,
13 meets seven of such criteria.

14 “(2) GRADUATED LICENSING PROGRAM.—(A) A
15 State receiving a grant under this section shall estab-
16 lish and maintain a graduated licensing program
17 consisting of the following licensing stages for any
18 driver under 18 years of age:

19 “(i) An instructional license, valid for a
20 minimum period determined by the Secretary,
21 under which the licensee shall not operate a
22 motor vehicle unless accompanied in the front
23 passenger seat by the holder of a full driver’s li-
24 cense.

1 “(ii) A provisional driver’s license which
2 shall not be issued unless the driver has passed
3 a written examination on traffic safety and has
4 passed a roadtest administered by the driver li-
5 censing agency of the State.

6 “(iii) A full driver’s license which shall not
7 be issued until the driver has held a provisional
8 license for at least 1 year with a clean driving
9 record.

10 “(B) For purposes of subparagraph (A)(iii), sub-
11 section (f)(1), and subsection (f)(6)(B), a provisional
12 licensee has a clean driving record if the licensee—

13 “(i) has not been found, by civil or criminal
14 process, to have committed a moving traffic vio-
15 lation during the applicable period;

16 “(ii) has not been assessed points against
17 the license because of safety violations during
18 such period; and

19 “(iii) has satisfied such other requirements
20 as the Secretary may prescribe by regulation.

21 “(C) The Secretary shall determine the condi-
22 tions under which a State shall suspend provisional
23 driver’s licenses in order to be eligible for a basic
24 grant. At a minimum, the holder of a provisional li-
25 cense shall be subject to driver control actions that are

1 *stricter than those applicable to the holder of a full*
2 *driver's license, including warning letters and suspen-*
3 *sion at a lower point threshold.*

4 *“(D) For a State's first 2 years of receiving a*
5 *grant under this section, the Secretary may waive the*
6 *clean driving record requirement of subparagraph*
7 *(A)(iii) if the State submits satisfactory evidence of*
8 *its efforts to establish such a requirement.*

9 *“(3) CRITERIA FOR BASIC GRANT.—The nine cri-*
10 *teria referred to in paragraph (1)(B) are as follows:*

11 *“(A) The State requires that any driver*
12 *under 21 years of age with a blood alcohol con-*
13 *centration of 0.02 percent or greater when driv-*
14 *ing a motor vehicle shall be deemed to be driving*
15 *while intoxicated for the purpose of (i) adminis-*
16 *trative or judicial sanctions or (ii) a law or reg-*
17 *ulation that prohibits any individual under 21*
18 *years of age with a blood alcohol concentration*
19 *of 0.02 percent or greater from driving a motor*
20 *vehicle.*

21 *“(B) The State has a law or regulation that*
22 *provides a mandatory minimum penalty of at*
23 *least \$500 for anyone who in violation of State*
24 *law or regulation knowingly, or without checking*

1 *for proper identification, provides or sells alcohol*
2 *to any individual under age 21 years of age.*

3 “(C) *The State requires that all front seat*
4 *and rear seat occupants of any motor vehicle*
5 *shall use safety belts.*

6 “(D) *The State requires that the license of*
7 *a driver under 21 years of age be suspended for*
8 *a period specified by the State if such driver is*
9 *convicted of the unlawful purchase or public pos-*
10 *session of alcohol. The period of suspension shall*
11 *be at least 6 months for a first conviction and*
12 *at least 12 months for a subsequent conviction;*
13 *except that specific license restrictions may be*
14 *imposed as an alternative to such minimum pe-*
15 *riods of suspension where necessary to avoid*
16 *undue hardship on any individual.*

17 “(E) *The State conducts youth-oriented*
18 *traffic safety enforcement activities, and edu-*
19 *cation and training programs—*

20 “(i) *with the participation of judges*
21 *and prosecutors, that are designed to ensure*
22 *enforcement of traffic safety laws and regu-*
23 *lations including those that prohibit drivers*
24 *under 21 years of age from driving while*
25 *intoxicated, restrict the unauthorized use of*

1 *a motor vehicle, and establish other moving*
2 *violations; and*

3 “(ii) *with the participation of student*
4 *and youth groups, that are designed to en-*
5 *sure compliance with such traffic safety*
6 *laws and regulations.*

7 “(F) *The State is a member of and substan-*
8 *tially complies with the interstate agreement*
9 *known as the Driver License Compact, promptly*
10 *and reliably transmits and receives through elec-*
11 *tronic means interstate driver record informa-*
12 *tion (including information on commercial driv-*
13 *ers) in cooperation with the Secretary and other*
14 *States, and develops and achieves demonstrable*
15 *annual progress in implementing a plan to en-*
16 *sure that (i) each court of the State report expe-*
17 *ditiously to the State driver licensing agency all*
18 *traffic safety convictions, license suspensions, li-*
19 *cence revocations, or other license restrictions,*
20 *and driver improvement efforts sanctioned or or-*
21 *dered by the court, and that (ii) such records be*
22 *available electronically to appropriate govern-*
23 *ment officials (including enforcement, officers,*
24 *judges, and prosecutors) upon request at all*
25 *times.*

1 “(G) The State prohibits the possession of
2 any open alcoholic beverage container, or the
3 consumption of any alcoholic beverage, in the
4 passenger area of any motor vehicle located on a
5 public highway or the right-of-way of a public
6 highway; except as allowed in the passenger
7 area, by persons (other than the driver), of a
8 motor vehicle designed to transport more than 10
9 passengers (including the driver) while being
10 used to provide charter transportation of pas-
11 sengers.

12 “(H) The State has a law or regulation that
13 provides a minimum penalty of at least \$100 for
14 anyone who in violation of State law or regula-
15 tion drives any vehicle through, around, or
16 under any crossing, gate, or barrier at a rail-
17 road crossing while such gate or barrier is closed
18 or being opened or closed.

19 “(I) The State has a law or regulation
20 that—

21 “(i) mandates seizure by the State or
22 any political subdivision thereof of any ve-
23 hicle driven by an individual in violation
24 of an alcohol-related traffic safety law, if
25 such violator has been convicted on more

1 *than one occasion of an alcohol-related traf-*
2 *fic offense within any 5-year period begin-*
3 *ning after the date of enactment of this sec-*
4 *tion, or has been convicted of driving while*
5 *his or her driver's license is suspended or*
6 *revoked by reason of a conviction for such*
7 *an offense;*

8 “(ii) mandates that the vehicle be for-

9 *feited to the State or a political subdivision*
10 *thereof if the vehicle was solely owned by*
11 *such violator at the time of the violation;*

12 “(iii) requires that the vehicle be re-

13 *turned to the owner if the vehicle was a sto-*
14 *len vehicle at the time of the violation; and*

15 “(iv) authorizes the vehicle to be re-

16 *leased to a member of such violator's fam-*
17 *ily, the co-owner, or the owner, if the vehicle*
18 *was not a stolen vehicle and was not solely*
19 *owned by such violator at the time of the*
20 *violation, and if the family member, co-*
21 *owner, or owner, prior to such release, exe-*
22 *cutes a binding agreement that the family*
23 *member, co-owner, or owner will not permit*
24 *such violator to drive the vehicle and that*
25 *the vehicle shall be forfeited to the State or*

1 *a political subdivision thereof in the event*
2 *such violator drives the vehicle with the per-*
3 *mission of the family member, co-owner, or*
4 *owner.*

5 “(f) *SUPPLEMENTAL GRANT PROGRAM.*—

6 “(1) *EXTENDED APPLICATION OF PROVISIONAL*
7 *LICENSE REQUIREMENT.*—*For purposes of this sec-*
8 *tion, a State is eligible for a supplemental grant for*
9 *a fiscal year in an amount, subject to subsection (c),*
10 *not to exceed 10 percent of the amount apportioned*
11 *to such State for fiscal year 1989 under section 402*
12 *of this title if such State is eligible for a basic grant*
13 *and in addition such State requires that a driver*
14 *under 21 years of age shall not be issued a full driv-*
15 *er’s license until the driver has held a provisional li-*
16 *cence for at least one year with a clean driving record*
17 *as described in subsection (e)(2)(B).*

18 “(2) *PROVISION OF INSURANCE INFORMATION.*—
19 *For purposes of this section, a State is eligible for a*
20 *supplemental grant for a fiscal year in an amount,*
21 *subject to subsection (c), not to exceed 5 percent of the*
22 *amount apportioned to such State for fiscal year 1989*
23 *under section 402 of this title if such State is eligible*
24 *for a basic grant and in addition such State provides,*
25 *to a parent or legal guardian of any provisional li-*

1 *censee, general information prepared with the assist-*
 2 *ance of the insurance industry on the effect of traffic*
 3 *safety convictions and at-fault accidents on insurance*
 4 *rates for young drivers.*

5 *“(3) READILY DISTINGUISHABLE LICENSES FOR*
 6 *YOUNG DRIVERS.—For purposes of this section, a*
 7 *State is eligible for a supplemental grant for a fiscal*
 8 *year in an amount, subject to subsection (c), not to*
 9 *exceed 5 percent of the amount apportioned to such*
 10 *State for fiscal year 1989 under section 402 of this*
 11 *title if such State is eligible for a basic grant and in*
 12 *addition such State—*

13 *“(A) requires that the provisional driver’s*
 14 *license, or full driver’s license, of any driver*
 15 *under 21 years of age be readily distinguishable*
 16 *from the licenses of drivers who are 21 years of*
 17 *age or older, through the use of special back-*
 18 *ground, marking, profile, or any other features,*
 19 *consistent with any guidelines developed by the*
 20 *Secretary in cooperation with the American As-*
 21 *sociation of Motor Vehicle Administrators; and*

22 *“(B) employs the Social Security number as*
 23 *a common identifier on every driver’s license so*
 24 *as to facilitate the transfer of traffic records*
 25 *among States.*

1 “(4) *DRIVER TRAINING PREREQUISITE.*—For
2 purposes of this section, a State is eligible for a sup-
3 plemental grant in an amount, subject to subsection
4 (c), not to exceed 5 percent of the amount apportioned
5 to such State for fiscal year 1989 under section 402
6 of this title if such State is eligible for a basic grant
7 and in addition such State requires that a provi-
8 sional driver’s license may be issued only to a driver
9 who has satisfactorily completed a State-accepted
10 driver education and training program that meets
11 Department of Transportation guidelines and in-
12 cludes information on the interaction of alcohol and
13 controlled substances and the effect of such interaction
14 on driver performance, and information on the im-
15 portance of motorcycle helmet use and safety belt use.

16 “(5) *REMEDIAL DRIVER EDUCATION.*—For pur-
17 poses of this section, a State is eligible for a supple-
18 mental grant for a fiscal year in an amount, subject
19 to subsection (c), not to exceed 5 percent of the
20 amount apportioned to such State for fiscal year 1989
21 under section 402 of this title if such State is eligible
22 for a basic grant and in addition such State requires,
23 at a lower point threshold than for other drivers, re-
24 medial driver improvement instruction for drivers
25 under 21 years of age and requires such remedial in-

struction for any driver under 21 years of age who is convicted of reckless driving, excessive speeding, driving under the influence of alcohol, or driving while intoxicated.

“(6) PROVISIONAL LICENSE REQUIREMENT AFTER LICENSE SUSPENSION OR REVOCATION.—For purposes of this section, a State is eligible for a supplemental grant for a fiscal year in an amount, subject to subsection (c), not to exceed 5 percent of the amount apportioned to such State for fiscal year 1989 under section 402 of this title if such State is eligible for a basic grant and in addition such State requires that any driver whose driving privilege is restored after license suspension or revocation resulting from a traffic safety violation shall for at least 1 year be subject to the following:

“(A) The restored license shall be immediately suspended, for a period to be determined by the Secretary, upon the driver’s conviction of any moving traffic safety violation, except that the Secretary may by regulation define limited circumstances under which the State may waive this immediate suspension requirement.

“(B) A full driver’s license shall be issued only after the driver has held a provisional li-

1 *cense for at least 1 year with a clean driving*
2 *record, as described in subsection (e)(2)(B).*

3 “(C) *The driver shall be—*

4 *“(i) deemed to be driving while intoxi-*
5 *cated if the driver has a blood alcohol con-*
6 *centration of .02 percent or greater; or*

7 *“(ii) prohibited from operating a*
8 *motor vehicle with such a blood alcohol con-*
9 *centration.*

10 “(7) *RECORD OF SERIOUS CONVICTIONS; HABIT-*
11 *UAL OR REPEAT OFFENDER SANCTIONS.—For pur-*
12 *poses of this section, a State is eligible for a supple-*
13 *mental grant for a fiscal year in an amount, subject*
14 *to subsection (c), not to exceed 5 percent of the*
15 *amount apportioned to such State for fiscal year 1989*
16 *under section 402 of this title if such State is eligible*
17 *for a basic grant and in addition such State—*

18 *“(A) requires that a notation of any serious*
19 *traffic safety conviction of a driver be main-*
20 *tained on the driver’s permanent traffic record*
21 *for at least ten years after the date of the convic-*
22 *tion; and*

23 *“(B) provides additional sanctions for any*
24 *driver who, following conviction of a serious*
25 *traffic safety violation, is convicted during the*

1 *next 10 years of one or more subsequent serious*
2 *traffic safety violations.*

3 “(8) *OVERSIGHT OF ALCOHOL SALES TO UNDER-*
4 *AGE DRINKERS.—For purposes of this section, a State*
5 *is eligible for a supplemental grant for a fiscal year*
6 *in an amount, subject to subsection (c), not to exceed*
7 *5 percent of the amount appropriated to such State*
8 *for fiscal year 1989 under section 402 of this title if*
9 *such State is eligible for a basic grant and in addi-*
10 *tion such State exercises effective oversight of colleges*
11 *and universities to ensure that colleges and univer-*
12 *sities do not provide, and do not allow the selling of,*
13 *alcohol to individuals under 21 years of age.*

14 “(g) *APPLICABILITY OF CHAPTER 1.—*

15 “(1) *IN GENERAL.—Except as otherwise provided*
16 *in this subsection, all provisions of chapter 1 of this*
17 *title that are applicable to National Highway System*
18 *funds, other than provisions relating to the apportion-*
19 *ment formula and provisions limiting the expenditure*
20 *of such funds to the Federal-aid systems, shall apply*
21 *to the funds authorized to be appropriated to carry*
22 *out this section.*

23 “(2) *INCONSISTENT PROVISIONS.—If the Sec-*
24 *retary determines that a provision of chapter 1 of this*
25 *title is inconsistent with this section, such provision*

1 *shall not apply to funds authorized to be appro-*
2 *priated to carry out this section.*

3 “(3) *CREDIT FOR STATE AND LOCAL EXPENDI-*
4 *TURES.—The aggregate of all expenditures made dur-*
5 *ing any fiscal year by a State and its political sub-*
6 *divisions (exclusive of Federal funds) for carrying out*
7 *the State highway safety program (other than plan-*
8 *ning and administration) shall be available for the*
9 *purpose of crediting such State during such fiscal*
10 *year for the non-Federal share of the cost of any*
11 *project under this section (other than one for plan-*
12 *ning or administration) without regard to whether*
13 *such expenditures were actually made in connection*
14 *with such project.*

15 “(4) *INCREASED FEDERAL SHARE FOR CERTAIN*
16 *INDIAN TRIBE PROGRAMS.—In the case of a local*
17 *highway safety program carried out by an Indian*
18 *tribe, if the Secretary is satisfied that an Indian tribe*
19 *does not have sufficient funds available to meet the*
20 *non-Federal share of the cost of such program, the*
21 *Secretary may increase the Federal share of the cost*
22 *thereof payable under this title to the extent nec-*
23 *essary.*

24 “(5) *TREATMENT OF TERM ‘STATE HIGHWAY DE-*
25 *PARTMENT’.—In applying provisions of chapter 1 in*

1 *carrying out this section, the term ‘State highway de-*
 2 *partment’ as used in such provisions shall mean the*
 3 *Governor of a State and, in the case of an Indian*
 4 *tribe program, the Secretary of the Interior.*

5 “(h) *AUTHORIZATION OF APPROPRIATIONS.—There*
 6 *are authorized to be appropriated to carry out this section,*
 7 *\$18,000,000 for each of the fiscal years ending September*
 8 *30, 1994, and September 30, 1995, \$20,000,000 for the fis-*
 9 *cal year ending September 30, 1996, and \$22,000,000 for*
 10 *each of the fiscal years ending September 30, 1997, and*
 11 *September 30, 1998.”.*

12 (b) *CONFORMING AMENDMENT.—The analysis of chap-*
 13 *ter 4 of title 23, United States Code, is amended by insert-*
 14 *ing immediately after the item relating to section 410 the*
 15 *following new item:*

 “411. Programs for young drivers.”.

16 (c) *DEADLINES FOR ISSUANCE OF REGULATIONS.—*
 17 *The Secretary shall issue and publish in the Federal Reg-*
 18 *ister proposed regulations to implement section 411 of title*
 19 *23, United States Code (as added by this section), not later*
 20 *than 6 months after the date of enactment of this Act. The*
 21 *final regulations for such implementation shall be issued,*
 22 *published in the Federal Register, and transmitted to Con-*
 23 *gress not later than 12 months after such date of enactment.*

1 **SEC. 102. PROGRAM EVALUATION.**

2 (a) *EVALUATION BY SECRETARY.*—The Secretary
3 shall, under section 403 of title 23, United States Code, con-
4 duct an evaluation of the effectiveness of State provisional
5 driver's licensing programs and the grant program author-
6 ized by section 411 of title 23, United States Code (as added
7 by section 101 of this Act).

8 (b) *REPORT TO CONGRESS.*—By January 1, 1997, the
9 Secretary shall transmit a report on the results of the eval-
10 uation conducted under subsection (a) and any related re-
11 search to the Committee on Commerce, Science, and Trans-
12 portation of the Senate and the Committee on Public Works
13 and Transportation of the House of Representatives. The
14 report shall include any related recommendations by the
15 Secretary for legislative changes.

16 **TITLE II—OLDER DRIVER PROGRAMS**

17 **SEC. 201. OLDER DRIVER SAFETY RESEARCH.**

18 (a) *RESEARCH ON PREDICTABILITY OF HIGH RISK*
19 *DRIVING.*—(1) The Secretary shall conduct a program that
20 funds, within budgetary limitations, the research challenges
21 presented in the Transportation Research Board's report
22 entitled "Research and Development Needs for Maintaining
23 the Safety and Mobility of Older Drivers" and the research
24 challenges pertaining to older drivers presented in a report
25 to Congress by the National Highway Traffic Safety Ad-

1 *ministration entitled “Addressing the Safety Issues Related*
2 *to Younger and Older Drivers”.*

3 *(2) To the extent technically feasible, the Secretary*
4 *shall consider the feasibility and further the development*
5 *of cost efficient, reliable tests capable of predicting increased*
6 *risk of accident involvement or hazardous driving by older*
7 *high risk drivers.*

8 *(b) SPECIALIZED TRAINING FOR LICENSE EXAMIN-*
9 *ERS.—The Secretary shall encourage and conduct research*
10 *and demonstration activities to support the specialized*
11 *training of license examiners or other certified examiners*
12 *to increase their knowledge and sensitivity to the transpor-*
13 *tation needs and physical limitations of older drivers, in-*
14 *cluding knowledge of functional disabilities related to driv-*
15 *ing, and to be cognizant of possible countermeasures to deal*
16 *with the challenges to safe driving that may be associated*
17 *with increasing age.*

18 *(c) COUNSELING PROCEDURES AND CONSULTATION*
19 *METHODS.—The Secretary shall encourage and conduct re-*
20 *search and disseminate information to support and encour-*
21 *age the development of appropriate counseling procedures*
22 *and consultation methods with relatives, physicians, the*
23 *traffic safety enforcement and the motor vehicle licensing*
24 *communities, and other concerned parties. Such procedures*
25 *and methods shall include the promotion of voluntary ac-*

1 *tion by older high risk drivers to restrict or limit their driv-*
 2 *ing when medical or other conditions indicate such action*
 3 *is advisable. The Secretary shall consult extensively with*
 4 *the American Association of Retired Persons, the American*
 5 *Association of Motor Vehicle Administrators, the American*
 6 *Occupational Therapy Association, the American Auto-*
 7 *mobile Association, the Department of Health and Human*
 8 *Services, the American Public Health Association, and*
 9 *other interested parties in developing educational materials*
 10 *on the interrelationship of the aging process, driver safety,*
 11 *and the driver licensing process.*

12 (d) *ALTERNATIVE TRANSPORTATION MEANS.—The*
 13 *Secretary shall ensure that the agencies of the Department*
 14 *of Transportation overseeing the various modes of surface*
 15 *transportation coordinate their policies and programs to*
 16 *ensure that funds authorized under the Intermodal Surface*
 17 *Transportation Efficiency Act of 1991 (Public Law 102–*
 18 *240; 105 Stat. 1914) and implementing Department of*
 19 *Transportation and Related Agencies Appropriation Acts*
 20 *take into account the transportation needs of older Ameri-*
 21 *cans by promoting alternative transportation means when-*
 22 *ever practical and feasible.*

23 (e) *STATE LICENSING PRACTICES.—The Secretary*
 24 *shall encourage State licensing agencies to use restricted li-*
 25 *censes instead of canceling a license whenever such action*

1 *is appropriate and if the interests of public safety would*
2 *be served, and to closely monitor the driving performance*
3 *of older drivers with such licenses. The Secretary shall en-*
4 *courage States to provide educational materials of benefit*
5 *to older drivers and concerned family members and physi-*
6 *cians. The Secretary shall promote licensing and relicensing*
7 *programs in which the applicant appears in person and*
8 *shall promote the development and use of cost effective*
9 *screening processes and testing of physiological, cognitive,*
10 *and perception factors as appropriate and necessary. Not*
11 *less than one model State program shall be evaluated in*
12 *light of this subsection during each of the fiscal years 1996*
13 *through 1998. Of the sums authorized under subsection (i),*
14 *\$250,000 is authorized for each such fiscal year for such*
15 *evaluation.*

16 *(f) IMPROVEMENT OF MEDICAL SCREENING.—The Sec-*
17 *retary shall conduct research and other activities designed*
18 *to support and encourage the States to establish and main-*
19 *tain medical review or advisory groups to work with State*
20 *licensing agencies to improve and provide current informa-*
21 *tion on the screening and licensing of older drivers. The*
22 *Secretary shall encourage the participation of the public in*
23 *these groups to ensure fairness and concern for the safety*
24 *and mobility needs of older drivers.*

1 (g) *INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.*—In
2 implementing the Intelligent Vehicle-Highway Systems Act
3 of 1991 (23 U.S.C. 307 note), the Secretary shall ensure
4 that the National Intelligent Vehicle-Highway Systems Pro-
5 gram devotes sufficient attention to the use of intelligent
6 vehicle-highway systems to aid older drivers in safely per-
7 forming driver functions. Federally-sponsored research, de-
8 velopment, and operational testing shall ensure the ad-
9 vancement of night vision improvement systems, technology
10 to reduce the involvement of older drivers in accidents oc-
11 curring at intersections, and other technologies of particu-
12 lar benefit to older drivers.

13 (h) *TECHNICAL EVALUATIONS UNDER INTERMODAL*
14 *SURFACE TRANSPORTATION EFFICIENCY ACT.*—In conduct-
15 ing the technical evaluations required under section 6055
16 of the Intermodal Surface Transportation Efficiency Act of
17 1991 (Public Law 102–240; 105 Stat. 2192), the Secretary
18 shall ensure that the safety impacts on older drivers are
19 considered, with special attention being devoted to ensuring
20 adequate and effective exchange of information between the
21 Department of Transportation and older drivers or their
22 representatives.

23 (i) *AUTHORIZATION OF APPROPRIATIONS.*—Of the
24 funds authorized under section 403 of title 23, United
25 States Code, \$1,250,000 is authorized for each of the fiscal

1 years 1995 through 2000, and \$1,500,000 is authorized for
 2 each of the fiscal years 2001 through 2005, to support older
 3 driver programs described in subsections (a), (b), (c), (e),
 4 and (f).

5 **TITLE III—HIGH RISK DRIVERS**

6 **SEC. 301. STUDY ON WAYS TO IMPROVE TRAFFIC RECORDS**
 7 **OF ALL HIGH RISK DRIVERS.**

8 (a) *IN GENERAL.*—Within 1 year after the date of en-
 9 actment of this Act, the Secretary shall complete a study
 10 to determine whether additional or strengthened Federal ac-
 11 tivities, authority, or regulatory actions are desirable or
 12 necessary to improve or strengthen the driver record and
 13 control systems of the States to identify high risk drivers
 14 more rapidly and ensure prompt intervention in the licens-
 15 ing of high risk drivers. The study, which shall be based
 16 in part on analysis obtained from a request for information
 17 published in the Federal Register, shall consider steps nec-
 18 essary to ensure that State traffic record systems are unam-
 19 biguous, accurate, current, accessible, complete, and (to the
 20 extent useful) uniform among the States.

21 (b) *SPECIFIC MATTERS FOR CONSIDERATION.*—Such
 22 study shall at a minimum consider—

23 (1) whether specific legislative action is nec-
 24 essary to improve State traffic record systems;

1 (2) the feasibility and practicality of further en-
2 couraging and establishing a uniform traffic ticket ci-
3 tation and control system;

4 (3) the need for a uniform driver violation point
5 system to be adopted by the States;

6 (4) the need for all the States to participate in
7 the Driver License Reciprocity Program conducted by
8 the American Association of Motor Vehicle Adminis-
9 trators;

10 (5) ways to encourage the State to cross-reference
11 driver license files and motor vehicle files to facilitate
12 the identification of individuals who may not be in
13 compliance with driver licensing laws; and

14 (6) the feasibility of establishing a national pro-
15 gram that would limit each driver to one driver's li-
16 cense from only one State at any time.

17 (c) *EVALUATION OF NATIONAL INFORMATION SYS-*
18 *TEMS.*—As part of the study required by this section, the
19 Secretary shall consider and evaluate the future of the na-
20 tional information systems that support driver licensing.
21 In particular, the Secretary shall examine whether the
22 Commercial Driver's License Information System, the Na-
23 tional Driver Register, and the Driver License Reciprocity
24 program should be more closely linked or continue to exist
25 as separate information systems and which entities are best

1 *suited to operate such systems effectively at the least cost.*
2 *The Secretary shall cooperate with the American Associa-*
3 *tion of Motor Vehicle Administrators in carrying out this*
4 *evaluation.*

5 **SEC. 302. STATE PROGRAMS FOR HIGH RISK DRIVERS.**

6 *The Secretary shall encourage and promote State driv-*
7 *er evaluation, assistance, or control programs for high risk*
8 *drivers. These programs may include in-person license reex-*
9 *aminations, driver education or training courses, license re-*
10 *strictions or suspensions, and other actions designed to im-*
11 *prove the operating performance of high risk drivers.*

S 738 RS——2

S 738 RS——3

S 738 RS——4